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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,192	03/11/2004	Kao-Cheng Hsieh	2519/0294PUS1	4738
77032	7590	07/25/2008	EXAMINER	
Joe McKinney Muncy PO Box 1364 Fairfax, VA 22038-1364				NGUYEN, KEVIN M
ART UNIT		PAPER NUMBER		
2629				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/797,192	HSIEH, KAO-CHENG	
	<b>Examiner</b>	<b>Art Unit</b>	
	KEVIN NGUYEN	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 17 March 2008.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 7-10 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 7-10 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

***Response to Arguments***

Response to applicant's amendment/argument filed on 3/17/2008, claims 1-6 are cancelled, claims 7-10 are newly added. Thus, claims 7-10 are pending. Applicant's arguments, see pages 4-6, with respect to the amended claims 7-10 have been fully considered and are not persuasive. The amendment necessitated the new ground of rejection presented in this Office action.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Umeda (US 5,737,107).

3. As to claim 7, figure 1 of Umeda discloses a wireless human input device comprising:

**a first wireless human transmitting unit having a first timer set with a first time parameter for generating a first leading signal having a first waveform signal;**

(the abstract and figures 3A, B, C, D disclose a transmitter of a wireless trackball device 5, a first timer 1.2ms, a first format information has a first leader code composed of high-level duration 4T and low-level duration 2T.)

**a second wireless human transmitting unit having a second timer set with a second time parameter for generating a second leading signal having, a second waveform signal,**

(the abstract and figures 3A, B, C, D disclose a transmitter of a wireless keyboard device 4, a second timer 1.6 ms, a second format information has a second leader code composed of high-level duration 4T and low-level duration 4T.)

**wherein the first time parameter and the second time parameter are different such that the wave length of the first waveform signal and the wave length of the second waveform signal are different; and**

(Tables 1 and 2 disclose the difference between the first format information and second format information are the low-level durations 2T and 4T.)

**a wireless human receiving unit for receiving the first leading signal and the second leading signal.**

(The abstract and figure 1 disclose that an infrared receiver 2 includes a photo receiver 9 for receiving the first leader code and the second leader code.)

**As to claim 8, the wireless human input device as claimed in claim 7, wherein the first wireless human transmitting unit is a wireless mouse transmitting unit, a wireless keyboard transmitting unit or a wireless touch pad transmitting unit.**

(Umeda disclose in the abstract and column 8, lines 26-31).

**As to claim 9, the wireless human input device as claimed in claim 8, wherein the second wireless human transmitting unit is a wireless mouse transmitting unit, a wireless keyboard transmitting unit or a wireless touch pad transmitting unit.**

(Umeda disclose in the abstract and column 8, lines 26-31).

**As to claim 10, the wireless human input device as claimed in claim 7, wherein the wireless human receiving unit comprises an electronic circuit device for identifying the first leading signal and the second leading signal by the first waveform signal and the second waveform signal.**

(figure 1 of Umeda discloses the infrared receiver 2 includes electronic circuit in there, which electrically connected to a photo receiver 9 for receiving first leader code and second leader code.)

***Response to Arguments***

Applicant's arguments with respect to claims 7-10 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN NGUYEN whose telephone number is (571)272-7697. The examiner can normally be reached on Monday-Thursday from 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571)272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KEVIN NGUYEN/  
Primary Examiner, Art Unit 2629